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October 2, 2023

VIA ECF

Hon. Robert W. Lehrburger, U.S.M.J
Daniel Patrick Moynihan
United States Courthouse
500 Pearl St.
New York, NY 10007

Re: Son et al., v. HAND Hospitality LLC et al., 22-cv-04639
Goo v. Hand Hospitality LLC et al, 23-cv-08235

Dear Judge Lehrburger,

This firm represents all Plaintiffs in the above-referenced cases. We write this letter motion to consolidate the two cases pursuant to the Federal Rules of Civil Procedure 42 (a) and to move for an extension of fact discovery.

On September 18, 2023, a former employee of the same defendants in the 2022 case, Ms. Goo, filed a complaint in this district court. The allegations in the newly filed 2023 case (Goo v. Hand Hospitality LLC et al, 23-cv-8235) is the same (FLSA and NYLL violations) as the 2022 case (22-4639) pending before your honor. While no counsel has filed an appearance for the newly filed case, we expect the same defendants' counsel will be filing an appearance for the 2023 case.

Both actions 22-4639 and 23-8235 involve a common question of law and fact in that both cases are against the same defendants and all plaintiffs are current and former employees of defendants alleging the same FLSA and NYLL violations. We will be filing the same motion to consolidate with Judge Broderick before whom the 2023 case is assigned.

Plaintiffs also move to extend the fact discovery period until January 31, 2024. The Court had set September 30, 2023 as the cutoff date for fact discovery. Plaintiffs' counsel was out of the country for the entire month of July to visit his mother in South Korea because she had a brain hemorrhage. Neither side has taken any depositions in this case. Discovery will also need to be done for the 2023 case and barring unforeseen events we believe four months for the discovery period should suffice.

For the reasons stated above, Plaintiffs respectfully move to consolidate the two related cases to this Court.

Respectfully submitted,
/s/ Ryan J. Kim

Cc: Joshua Lee (via ECF)